

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SEP 12 2019

CSB

MITCHELL R. ELFERS
CLERK OF COURT

1:30 pm

ANDREW JOEY DELGADO,

Petitioner,

v.

No. 17-cv-01004-KG-KRS

RAYMOND SMITH,

Respondent.

ORDER ADOPTING PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION

This matter comes before the Court on Magistrate Judge Kevin R. Sweazea's Proposed Findings and Recommended Disposition ("PFRD"), filed August 14, 2019. (Doc. 22). The parties were notified that objections were due within fourteen days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. (Doc. 22, at 14). To date, no objections have been filed.

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) Mr. Delgado's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1) is denied;
- 3) Mr. Delgado's motions for a status conference and to appoint counsel (Docs. 13, 19) are denied;
- 4) this case is dismissed with prejudice; and
- 5) a certificate of appealability is denied.


UNITED STATES DISTRICT JUDGE